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April 5, 2022

VIA CM/ECF

Honorable Denis R. Hurley
United States District Court
Eastern Division of New York
100 Federal Plaza
Central Islip, New York 11722

**Re: Francisco Rodriguez et al. v. Ridge Restaurant, Inc.
d/b/a Alfredo's Pizzeria, Dennis Donofrio, and Philip Donofrio
Eastern District Case No. 2:16-cv-00254-DRH-AKT**

Dear Judge Hurley:

We are the attorneys for Defendants in this action and write in response to the letter from plaintiff's counsel dated April 5, 2022, ("Letter"). We oppose the relief sought in the Letter. The basis for the opposition is set forth below.

This wage and hour case was bifurcated by the Court on agreement of the parties into damages and attorneys fees. The damages were set at \$7,000.00. To date, plaintiff has not prepared a proposed settlement agreement including, *inter alia*, the nature and allocation of the settlement payment, the tax aspects thereof, a release, and such other items typically contained in such an agreement. In the absence of such an agreement, seeking payment is premature, at best. The matter of attorneys fees is fully briefed and submitted to the Court for determination.

Thank you for your consideration of our position.

Very truly yours,

Eric J. Bressler

EJB/cs
cc - Steven J. Moser, Esq.